

381-08/MEU

****UNDER TEMPORARY SEAL****

PROCESS OF MARITIME ATTACHMENT AND GARNISHMENT

THE PRESIDENT OF THE UNITED STATES OF AMERICA

To the MARSHAL of the UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF
NEW YORK, GREETINGS:

WHEREAS a Verified Complaint has been filed in the United States District Court,
Southern District of New York on the 24th day of July, 2008, and styled:

PENGUIN MARITIME LTD.,

08 CV 6570 (JSR)

Plaintiff,

-against-

LEE & MUIRHEAD LTD., a/k/a LEE &
MUIRHEAD PVT LTD.,

Defendant.

in a certain action for amounts due Plaintiff from Defendant in connection with a claim for
breach of a maritime contract of charter party, and praying for Process of Maritime Attachment
and Garnishment against the said Defendant in the amount of **\$2,956,611.84**; and,

WHEREAS, this Process is issued pursuant to such prayer and requires that a garnishee
shall serve his Answer, together with answers to any Interrogatories served with the Verified
Complaint, within 20 days after service of process upon him and requires that Defendants shall
serve its Answer(s) within 30 days after process has been executed, whether by attachment of
property or service on the garnishees or arrest of property within the possession of the
garnishees;

NOW, THEREFORE, we do hereby command you that if the said Defendants cannot be
found within the District, you attach all assets, comprising of, *inter alia*, cash, funds, escrow

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funds, credits, debts, wire transfers, electronic fund transfers, accounts, letters of credit, freights, sub-freights, charter hire, sub-charter hire, or any other assets of, belonging to, due or being transferred to, from, or for the benefit of Defendants **LEE & MUIRHEAD LTD., a/k/a LEE & MUIRHEAD PVT LTD.** (collectively hereinafter, "ASSETS"), including but not limited to such ASSETS as may be held, received, or transferred in their individual names or as may be held, received or transferred for their individual benefit at, through, or within the possession, custody or control of ABN Amro North America, American Express Bank, Bank of America, BNP Paribas, Citibank, Deutsche Bank Trust Co., HSBC, HSBC USA Bank NA, JPMorgan Chase Bank, Standard Chartered Bank, The Bank of New York Mellon, and/or Wachovia Bank together with any such ASSETS as may be held by any other garnishee(s) on whom a copy of this Order of Attachment may be served, and that you seize them and promptly after execution of this process, file the same in this Court with your return thereon.

WITNESS, the Honorable Jed S. Rakoff, United States District Judge of said Court, this 11th day of August, 2008, and of our Independence the two hundred and thirty-second.

Clerk **J. MICHAEL McMAHON**

By: B. J. Cei
Deputy Clerk

CERTIFIED AS A TRUE COPY ON

THIS DATE 08-11-08

BY B. J. Cei
() Clerk
(x) Deputy

NOTE: This process is issued pursuant to Rule B(1) and Rule C of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure.